

submitting the modified electronic concept worksheet proposal files to an activity coordinator; and comparing the modified electronic concept worksheet proposal files with timing rules, guidelines, and standards to ensure that the modified electronic concept worksheet proposal files meet associated timing rules, guidelines, and standards.

REMARKS

Through examination and careful review of the application by the Examiner is noted and appreciated.

Claim Amendments

In the Office Action mailed January 1, 2003 the Examiner rejected claims 1-6, and 21-27. By way of the foregoing amendments and the version with markings to show changes attached hereto, claims 1, and 27 have been amended and claims 28-33 have been newly added. Accordingly, upon entry of this Response, Claims 1-6, and 21-33 are pending.

The changes in the claims do not introduce new matter but clarify matters shown and described in the application as filed. The foregoing amendments and following remarks are believed to be fully responsive to the Office Action mailed January 1, 2003 and render all currently pending claims at issue patentably distinct over the references cited by the Examiner. The foregoing amendments are taken in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicant would otherwise be entitled in view of the prior art. Reconsideration

U.S.S.N. 09/543,227

and examination of this application is respectfully requested in light of the foregoing amendments and the following remarks.

EXAMINER'S OFFICE ACTION

In the January 1, 2003 Office Action referenced above, the Examiner:

rejected claims 21-27 as being drawn to an invention that is independent or distinct from the invention originally claimed;

objected to the drawing sheets under 37 CFR 1.84(g);
rejected claims 1-6 under 35 U.S.C. §101 as being directed to non-statutory subject matter; and
rejected Claims 1-6, under 35 U.S.C. §103(a) as being obvious over Duncan, A Guide to the Project Management Body of Knowledge (hereinafter "DUNCAN").

Rejection Of Claims Drawn To Non-Elected Invention

Claims 21-27 are rejected as being drawn to an invention that is independent or distinct from the invention originally claimed. In January 1, 2003 office action, the Examiner withdrew claims 21-27 due to claims 21-27 being drawn to a method for conducting a marketability study based on customer feedback, classified in class 705, subclass 10, instead of being drawn to the elected method for performing a project feasibility study based on technological capabilities as classified in class 705, subclass 7.

The rejection of Claims 21-27 based on claims 21-27 being drawn to a non-elected invention is respectfully traversed.

Claim 21 has been amended to patentably define subject matter directed to the elected class 705, subclass 7.

Additionally, Claims 22-27 which depend from claim 21 are now considered to be directed to the elected class 705, subclass 7.

In light of amendments to Claim 21, Examiner's rejections based on claims drawn to a non-elected invention have been obviated.

Objection To The Drawings

The drawings are objected to by the Examiner under 37 C.F.R. 1.84(g) because the drawings do not have the appropriate margins. Examiner specified in clause 4, page 2 of January 1, 2003 office action that "[e]ach sheet must include a top margin of at least 2.5 cm (1 inch), a left side margin of at least 2.5 cm (1 inch), a right side margin of at least 1.5 cm (5/8 inch), and a bottom margin of at least 1.0 cm (3/8 inch)."

Accordingly, Figures 1-9 have been amended as provided in the 9 (nine) substitute sheets of drawings for Figures 1-9 to alleviate the Examiner's objections by conforming the margins of the originally submitted drawings to meet the requirements of 37 C.F.R. 1.84(g).

Claim Rejections Under 35 U.S.C. §101

Claims 1-6 are rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter based on failing to recite a method process that applies, involves, uses, or advances the technological arts. In January 1, 2003 office action, page 3, clause 6, Examiner stated that the recited steps of method as claimed "can be performed solely by a human." The rejection of Claims 1-6 under 35 U.S.C. §101 is respectfully traversed.

Claim 1 has been amended to more clearly define statutory subject matter within the technological arts.

More particularly, claim 1 has been amended to define a method for developing and performing a manufacturing project having the steps of:

providing a communication mechanism for a plurality of users associated with the manufacturing project to efficiently communicate with each other;

providing a plurality of electronic concept proposal worksheet files, wherein each of the plurality of electronic concept worksheet proposal files defines a selected concept proposal;

selectively communicating the plurality of electronic concept worksheet proposal files to a plurality of users of the communication mechanism;

modifying the electronic concept worksheet proposal files;

entering the modified electronic concept worksheet proposal files into a proposal database; and using the proposal database to generate at least one complete project proposal.

Support for amended Claim 1 is found in the Pending Application, pages 5, and 13. More specifically the step of providing a communication mechanism is disclosed in Pending Application, page 5, lines 17-22:

[E]mployees are provided with **an ongoing communication mechanism** in which they can tender any questions, concerns or other matters regarding their employment and/or job duties, and receive prompt and accurate information in response thereto.

Additionally step of providing a plurality of electronic concept proposal worksheet files is disclosed in Pending application, page 12, lines 9-12:

The group prepares concept proposals and completes a **standard worksheet or form for each selected concept proposal**. . . . [T]he **worksheet or form is in an electronic file or format**

The step of selectively communicating the plurality of electronic concept worksheet proposal files to a plurality of users of the communication mechanism is disclosed in Pending application, page 12, lines 9-12:

"[the electronic concept worksheet proposal files are] **selectively communicated to relevant personnel, departments (e.g., the "AMTD") and customers in a conventional manner.**"

The steps of entering the modified electronic concept worksheet proposal files into a proposal database and

using the proposal database to generate at least one complete project proposal is disclosed in Pending application page 13, lines 5-13:

[T]he group completes the project proposal. Particularly, the group finalizes project workplans and refines estimates for required resources and project benefits. The group then enters project information into a [project] database and submits the information to an activity coordinator. The activity coordinator ensures that, as applicable, the projects are consistent with certain timing rules, guidelines and/or standards. . . .

See also, Pending application, page 33, lines 13-14, and line 20 for further reference to use of the "project database" to selectively provide proposal data to users of the proposal database.

Therefore, the activity coordinator uses the project database in a technologically useful manner to selectively compare modified electronic concept proposal records with other data to ensure consistency.

The proposal database is created from a plurality of electronic proposal worksheet files and thus provides an efficient mechanism for accessing and storing the files. Because a database is a term of art frequently used in computer related arts, a database by definition resides within a memory means of at least one computer, and in the present case, preferably within a computer network. Therefore, it is inherent that the database is disposed within memory means of at least one computer and preferably, a computer network.

Additionally, the communication mechanism that provides employees access to prompt and accurate information would necessarily include such a computer network having the database disposed therewithin for efficient access, modification, and comparison of the plurality of electronic concept proposal files. Thus, the worksheet or form is in an electronic file or format, and is selectively communicated [via the communication mechanism, i.e. computer network] to relevant personnel, departments (e.g., the "AMTD") and customers in a conventional manner.

Thus the present invention employs a computer or a computer network to preferably sort through the database to selectively use the information disposed within the database to determine a technologically useful result. The task of comparing task would be inefficient if performed by a human and would not be feasible in a large manufacturing enterprise. The step of using a database and associated electronic files stored therewithin allows a database user the opportunity to efficiently selectively sort through large volumes of data and to use the communication computer network to selectively modify and compare the information disposed within the database with the timing rules, guidelines and standards to generate a technologically concrete, tangible, and useful result of a completed project proposal.

Claims 2-6, and newly 32-33, which further define the technologically useful limitations of the present invention, depend from claim 1.

Additionally, claim 21 has been amended a similar manner to claim 1 to properly define subject matter under 35 USC § 101.

In light of amendments to Claim 1, Examiner's rejections under 35 U.S.C. 101 have been obviated.

Claim Rejections Under 35 USC § 103

Claims 1-6 are rejected under 35 U.S.C. §103(a) obviousness based on DUNCAN.

In Examiner's office action, page 9, clause 8, Examiner rejected claim 1, based on DUNCAN and based on "Official Notice is taken that it is old and well-known in the art of manufacturing to replicate a certain technology among various manufacturing processes.

The rejection of Claims 1-6 under 35 U.S.C. §103(a) based on DUNCAN and Examiner's Official Notice is respectfully traversed.

Independent Claim 1, as amended herein is directed to a method for developing a replication plan, the replication plan having the steps of:

identifying a plurality of replication sites,
developing a replication plan using the identified
replication sites,
developing a generic non-site specific workplan, and

revising the generic non-site specific workplan to include unique requirements for each replication site.

Independent Claim 1 further has the steps of:

prioritizing replication sites in accordance with a confirmed replication plan; and

performing a replication procedure in accordance with the confirmed replication plan.

The step of identifying replication sites is disclosed in Pending application, page 13, lines 20-26 through page 14, lines 1-4.

Next, replication opportunities are identified. . . . [T]he group reviews other company facilities and/or activities, worldwide, for additional application. The group further reviews any potential or identified replication opportunities with the primary customer.

The group then performs a preliminary benefit and cost estimate. Particularly, the group estimates the benefits to be realized once the project has been fully implemented and replicated; and the facility and tooling costs necessary to develop, "prove out", implement, and replicate the project.

The "output" or result generated from step 56 is a completed and submitted project proposal for each project. . . . [T]he project proposals are completed and submitted on a standard form or according to a standard format.

The step of developing a replication plan using the identified replication sites is disclosed in Pending Application page 24, lines 16-23.

The group . . . develops a preliminary replication plan and reviews the replication plan with customers. Particularly, the group recommends the sequence of replicating to other company

facilities, and describes unique local requirements, by replication site identified.

Additional support for the step of developing a replication plan using the identified replication sites is disclosed in Pending Application, page 27, lines 7-9 and page 28, lines 14-26 through page 29, lines 1-2:

[T]he team establishes an issues deck to document new data that would be useful for replication planning.

....

In phase 30, the team or group further performs replication plan development in steps or sub-phases 98, 100, 102. Particularly, the team performs the following actions: establishes replication team consisting of key technology developers and representatives from each of the replication sites; reviews pilot application with potential replication customers; develops a non-site specific (generic) workplan; revises the generic workplan to include unique requirements for each replication site; estimates human resources and skills required to replicate technology; develops directional estimates of other resources required for replication; and agrees on roles and responsibilities between operations and manufacturing departments including project closure requirements.

The step of confirming a replication plan is disclosed in Pending Application, page 29, lines 17-26 through page 30, lines 1-10:

The replication phase 32 is the process of implementing multiple applications of proven technologies into company manufacturing and assembly operations. . . . In step 112, the team or group **confirms the replication plan**. Particularly, the team confirms the business case, conditions and economic constraints; calculates the project's pilot or plan tryout "time adjusted rate of return" ("TARR") and compares the TARR to the company's TARR requirements; **confirms effect of local requirements, at each proposed**

replication site, upon the business case; identifies any economic constraints and estimate the effects upon the proposed replication plan; and summarize the business case in terms of investment and total expected savings by cost category (e.g., labor, materials).

The step of prioritizing replication opportunities in accordance with the confirmed replication plan is disclosed in Pending application page 31, lines 12-17:

The team then **prioritizes specific replication application opportunities** (e.g. by working with the customer to develop a prioritized listing of application opportunities considering such issues as business conditions, cycle plans, and available vendor resources.

The DUNCAN reference discusses benchmarking used to improve a currently existing project performed within a manufacturing facility. However, the DUNCAN reference refers to improving a currently existing project, not a process replicated using the project in accordance with unique characteristics of the replication site. By only referring to a currently existing project, Duncan teaches away from using a replication process to replicate a product in accordance with unique requirements, but instead suggests using the currently existing project in a similar way repeatedly. See DUNCAN, page 85, Section 8.1 "Quality planning involves identifying which quality standards are relevant to the project and determining how to satisfy them [i.e. standards relevant to an existing project]. . . . The quality planning techniques discussed here are those used most frequently on projects." Additionally, DUNCAN, page 6, section 1.3 teaches away from disclosing

processes such as replication that require managing by projects: "a detailed discussion of the approach [managing by projects] is outside the scope of this document."

Unlike the present invention, Duncan fails to disclose a method of developing a replication plan having the steps of:

identifying a plurality of replication sites,
developing a replication plan using the identified replication sites,
developing a generic non-site specific workplan, and revising the generic non-site specific workplan to include unique requirements for each replication site.

Additionally, the DUNCAN reference fails to disclose a method for prioritizing replication sites in accordance with a confirmed replication plan, and performing a replication procedure in accordance with the confirmed replication plan.

Examiner takes official notice of replication processes within manufacturing facilities, however, the Official notice does not extend to prioritizing replication sites in accordance with a confirmed replication plan, and performing a replication procedure in accordance with the confirmed replication plan.

Therefore, it would not have been obvious to take official notice of a replication process having the limitations of Applicant's invention and apply the replication process to DUNCAN to render Applicant's invention.

Thus, amended Claim 1 clearly defines a method for

developing and performing a manufacturing project.

With regard to Claims 2-6, Claims 2-6 depend upon independent Claim 1. In light of Examiner's reliance on DUNCAN and Examiner's Official Notice, amendment of independent Claim 1, from which claims 2-6 renders Examiner's rejection moot. As discussed above, Claim 1 is patentably distinguishable over the references cited herein.

Additionally, with regard to claim 21, claim 21 has been amended to more particularly define the replication process of the present invention. Additionally, claims 22-31 which depend from claim 21 were also added to more particularly define the replication process of the present invention.

In light of Examiner's reliance on DUNCAN and Examiner's Official Notice, amendment of independent Claim 1, from which claims 2-6, and 32-33 depend renders Examiner's rejection moot. As discussed above, Claim 1 is patentably distinguishable over the references cited herewithin. It is also believed that Claim 21 and Claims 22-31 which depend upon Claim 21 are also patentably distinguishable of the references cited herewithin.

The prior art of record herein, whether considered alone or in combination, does not show or suggest or render obvious the method for developing and performing a manufacturing project as required by independent Claim 1.

In light of Examiner's reliance on DUNCAN and Examiner's Official Notice, amendment of independent Claim 1, from which

claims 2-6, and 32-33 depend renders Examiner's rejection moot. As discussed above, Claim 1 is patentably distinguishable over the references cited herewithin.

The references cited herein do not recite, disclose, teach or suggest the claimed features of Claim 1.

The foregoing amendments further clarified some of the features of the method for developing and performing a manufacturing project. It is believed that the present invention as amended is novel and non-obvious over the references relied upon by the Examiner.

Independent Claim 1 has been amended to further define the invention. Therefore, Claim 1 is now believed to patentably define over the prior art relied upon by the Examiner.

Additionally, Claims 2-6, and 32-33 which depend from Claim 1 are also believed to be patentable over the prior art relied upon by the Examiner for the same reasons that Claim 1 from which they depend is also patentable.

Independent Claim 21 has been amended to further define the invention. Therefore, Claim 21 is now believed to patentably define over the prior art relied upon by the Examiner. Additionally, Claims 22-31 which depend from Claim 21 are also believed to be patentable over the prior art relied upon by the Examiner for the same reasons that Claim 21 is also patentable.

The rejection of claims 1-6 under 35 USC § 101 based on an invention directed to non-statutory subject matter, and 35

U.S.S.N. 09/543,227

USC § 103(a) based on obviousness is respectfully traversed.

Additionally, the rejection of claims 21-27 based on an invention being drawn to a non-elected invention is also respectfully traversed. A reconsideration for allowance of these claims is respectfully requested of the Examiner.

Based on the foregoing, the Applicant respectfully submits that all of the pending claims, i.e. claims 1-6, 21-33 are now in condition for allowance. Such favorable action by the Examiner at an early date is respectfully solicited.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version With Markings To Show Changes Made." Additionally attached hereto are nine (9) substitute sheets of drawings for Figures 1-9 and a Letter Of Transmittal Accompanying the nine substitute sheets of drawings.

The Applicant hereby authorizes the Commissioner to charge Deposit Account No. 06-1510 the required Extension of Time Fee necessary to prevent the abandonment of this application.

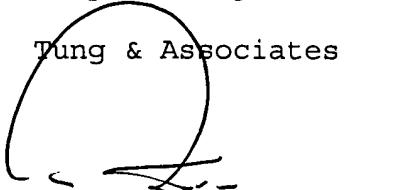
In the event that the present invention is not in a condition for allowance for any other reasons, the Examiner is respectfully invited to call the Applicant's representative at his Bloomfield Hills, Michigan office at (248) 540-4040 such

U.S.S.N. 09/543,227

that necessary action may be taken to place the application in a condition for allowance.

Respectfully submitted,

Tung & Associates


Randy W. Tung
Reg. No. 31,311
Telephone: (248) 540-4040

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Please amend Claims 1, 21 and add claims 28-33 as follows:

1) (Amended) A method for developing and performing a manufacturing project comprising the steps of:

[providing a concept proposal to develop processes to manufacture a desired product]

providing a communication mechanism for a plurality of users associated with the manufacturing project to efficiently communicate with each other;

providing a plurality of electronic concept proposal worksheet files, wherein each of the plurality of electronic concept worksheet proposal files defines a selected concept proposal;

selectively communicating the plurality of electronic concept worksheet proposal files to a plurality of users of the communication mechanism;

modifying the electronic concept worksheet proposal files;

entering the modified electronic concept worksheet proposal files into a proposal database;

using the proposal database to generate at least one complete project proposal;

[conducting a concept feasibility procedure, effective to demonstrate that a certain technology is feasible to manufacture said desired product;]

performing a manufacturing concept ready procedure, effective to verify that said certain technology is capable of manufacturing said desired product under simulated conditions;

performing a manufacturing implementation procedure, effective to verify that said certain technology is functionally sound and meets certain quality and cost criteria; and

developing a replication plan wherein the replication plan comprises the substeps of

identifying a plurality of replication sites,

developing a replication plan using the identified replication sites,

developing a generic non-site specific workplan, and

revising the generic non-site specific workplan to include unique requirements for each replication site;

prioritizing replication sites in accordance with a confirmed replication plan; and

performing a replication procedure[effective to implement multiple applications of said certain technology within other manufacturing processes] in accordance with the confirmed replication plan.

Sub C
21) (Amended) A method for developing and performing a manufacturing project comprising the steps of:

providing a communication mechanism for a plurality of users associated with the manufacturing project to efficiently communicate with each other;

providing a plurality of concept proposals; [proposal based upon at least one predefined need and a review of technology capable of achieving said predefined need;

demonstrating that a technology is capable of providing said predefined need through a certain process;

verifying that said certain process is capable of providing said at least one predefined need under simulated conditions expected during a production application, while meeting certain cost and timing requirements;

verifying and demonstrating that said technology is functionally sound and has a certain quality value and cost value;]

providing a plurality of electronic concept proposal worksheet files, wherein each of the plurality of electronic concept worksheet proposal files defines a selected concept proposal;

selectively communicating the plurality of electronic concept worksheet proposal files to a plurality of users of the communication mechanism;

modifying the electronic concept worksheet proposal files;

entering the modified electronic concept worksheet proposal files into a proposal database;

using the proposal database to generate at least one complete project proposal; and

implementing multiple applications of said technology in manufacturing operations by performing the substeps of
identifying a plurality of replication sites,
developing a replication plan using the identified
replication sites,
developing a generic non-site specific workplan;
revising the generic non-site specific workplan to
include unique requirements for each replication site,
confirming a replication plan,
prioritizing replication sites in accordance with a
confirmed replication plan, and
performing a replication procedure in accordance
with the confirmed replication plan.

Sub C
Sub B
Sub A

(28) (NEW) The method of claim 1, wherein the substep of developing a replication plan using the identified replication site further comprises the steps of:

recommending the sequence of replicating within the identified replication sites;

describing unique local requirements for each identified replication site; and

establishing an issues deck to document new data that would be useful for replication planning.

(29) (NEW) The method of claim 1, wherein the substep of developing a replication plan using the identified replication sites further comprises the steps of:

establishing a replication team consisting of key technology developers and representatives from each of the replication sites;

reviewing pilot application with potential replication customers;

developing a generic non-site specific workplan;

revising the generic non-site specific workplan to include unique requirements for each replication site; estimating human resources and skills required to replicate technology;

developing directional estimates of other resources required for replication; and

agreeing on roles and responsibilities between operations and manufacturing departments including project closure requirements

(30) (NEW) The method of claim 1, further comprising the step of confirming a replication plan, wherein the step of confirming a replication plan further comprises the steps of:

confirming a business case, conditions and economic constraints;

calculating a proposed project's plan tryout "time adjusted rate of return" ("TARR");

comparing the TARR to the manufacturer's TARR requirements;

confirming effect of local requirements at each proposed replication site;

identifying any economic constraints;

estimating the effects of identified economic constraints upon the proposed replication plan; and

summarizing the business case in terms of investment and total expected savings by a cost labor category and a materials category.

(31) (NEW) The method of claim 1, wherein the step of prioritizing replication sites in accordance with a confirmed replication plan further comprises the step of:

developing a prioritized listing of replication sites using business conditions, cycle plans, and available vendor resources.

(32) (NEW) The method of claim 1, wherein the step of modifying the electronic concept worksheet proposal files further comprises the steps of :

finalizing project workplan information; and refining estimate information for required resources and project benefits.

(33) (NEW) The method of claim 1, wherein the step of using the proposal database to generate at least one complete project proposal further comprises the step of:

submitting the modified electronic concept worksheet proposal files to an activity coordinator; and

comparing the modified electronic concept worksheet proposal files with timing rules, guidelines, and standards to

U.S.S.N. 09/543,227

ensure that the modified electronic concept worksheet proposal
files meet associated timing rules, guidelines, and standards.

B2
Cont'd
C1
